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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION

HERMINIA LORENZO CRUZ

Case No: C08 00991 JF(rx)

Plaintiff,

ORDER
(proposed)

vs.

(F.R. C.P. RULE 12)

INTERNATIONAL COLLECTION
CORPORATION, a California corporation,
CHARLES D. HENDRICKSON,
individually and in his official capacity,

DATE: May 2, 2008

TIME: 9:00 a.m.

COURTROOM: 3

Defendants.

(reserved)

This matter came regularly for hearing on Defendants' Motion to Dismiss Under Rule 12 of the Federal Rules of Civil Procedure at 9:00 a.m. on May 2, 2008. The Plaintiff and opposing party , HERMINIA LORENZO CRUZ, on behalf of himself and all others similarly situated, appeared by FRED W. SCHWINN, ESQ. of the Consumer Law Center. The Defendants and Movants, INTERNATIONAL COLLECTION CORPORATION and CHARLES D. HENDRICKSON appeared by LARRY ROTHMAN, ESQ. of LARRY ROTHMAN & ASSOCIATES.

The Court read and considered all papers and filings for this Motion and heard arguments of counsel.

This Court grants the Motion to Dismiss the Complaint.

DATED:

UNITED STATES DISTRICT COURT JUDGE

PROOF OF SERVICE

State of California, County of Orange:

I am employed in the county and state aforesaid. I am over the age of 18 and not a party to the within action; my business address is: 1 City Boulevard West, Suite 850, Orange, California 92868

On March 28, 2008, I served the foregoing document described as:

ORDER on the parties listed below in this action by placing a true copy thereof or the originals in a sealed envelope sent first class mail and addressed as follows:

Fred W. Schwinn, Esq.
Consumer Law Center, Inc.
12 South First Street, Suite 1014
San Jose, California 95113-2418

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

I declare under penalty of perjury under the laws of the United States that the above is true and correct.

Executed on March 28, 2008, at Orange, California, California.

WADE KRAUS
WADE KRAUS